

**STATE OF ALABAMA  
BOARD OF CORRECTIONS  
INSTITUTIONAL INCIDENT REPORT**

PENGAD-Bayonne, N.J.

**EXHIBIT**5

N601  
D of C  
DOC No. 601 (REV. 4/81)

|   |                                 |   |  |
|---|---------------------------------|---|--|
| 1. Institution:<br><b>TUTWILER PRISON</b>   | 2. Date:<br><b>23 June 2004</b> | 3. Time:<br><b>8:05 a.m.</b>  | 4. Incident Number:<br><b>TP 04-1011</b> |
| 5. Location Where Incident Occurred:<br><b>outside medical unit in North Hall</b> |                                 | 6. Type of Incident:<br><b>#58, lying</b>   |  |
| 7. Time Incident Reported:<br><b>8:30 a.m.</b>                                    |                                 | 8. Who Received Report:<br><b>Angela Villali, Drug Treatment Specialist</b> <i>Wilean</i> |  |
| 9. Victim: a. _____<br>(type full name)   |                                 | No. _____   |  |
| b. _____<br>(type full name)  |                                 | No. _____   |  |
| 10. Suspects:   |                                 | 11. Witnesses:  |  |
| a. <b>JONES, Ashley B/F</b>   | No. <b>216506X</b>              | a. _____  | No. _____                                |
| b. _____  | No. _____                       | b. _____  | No. _____                                |
| c. _____  | No. _____                       | c. _____  | No. _____                                |
| d. _____  | No. _____                       | d. _____  | No. _____                                |
| e. _____  | No. _____                       | e. _____  | No. _____                                |
|   |                                 | f. _____  | No. _____                                |
|   |                                 | g. _____  | No. _____                                |
| Physical Evidence:  |                                 |   |  |
| 12. Type of Evidence: <b>N/A</b>  |                                 |   |  |
| 13. Description of Evidence: <b>N/A</b>   |                                 |   |  |
| 14. Chain of Evidence:  |                                 |   |  |
| a. <b>N/A</b>   |                                 |   |  |
| b. _____  |                                 |   |  |
| c. _____  |                                 |   |  |
| d. _____  |                                 |   |  |

**15. Narrative Summary:**

At approximately 8:00 a.m., on 23 June 2004, Tina Dubberley, Drug Treatment Counselor, was looking for Inmate Ashley Jones B/F 216506X in Dorm #10, the drug treatment dorm. Ms. Dubberley could not locate Inmate Jones and Ms. Dubberley left Dorm #10 to look for Inmate Jones. At approximately 8:05 a.m., Ms. Dubberley found Inmate Jones in pill line in North Hall and asked Inmate Jones why Inmate Jones was in pill line. Inmate Jones stated, "Oh, I take Benadryl for my allergies." At approximately 8:30 a.m., Ms. Dubberley advised Ms. Dubberley's supervisor, Angela Villali, Drug Treatment Specialist, that Inmate Jones was under investigation for lying to a DOC employee. Ms. Villali authorized Ms. Dubberley to continue. At approximately 1:10 p.m., 23 June 2004, Inmate Jones stated to Ms. Dubberley, "I was only in pill line to see if my meds were in, I ordered them about three days ago." Ms. Dubberley asked Inmate Jones why Inmate Jones had just come from Dorm #3 prior to taking the last place in line at approximately 8:05 a.m. on 23 June 2004 and Inmate Jones replied, "I was visiting my friend. I didn't know I couldn't." At approximately 1:30 p.m., Ms. Dubberley went to the medical unit and asked Nurse Dawn Hardy whether Inmate Jones had requested Benadryl and if Inmate Jones' request had been received and whether Inmate Jones had been prescribed any meds. Nurse Hardy pulled Inmate Jones' file and per Nurse Hardy, advised there was no request from

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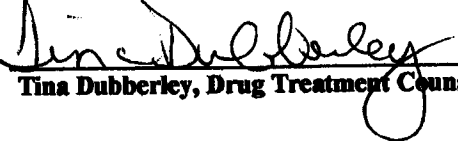
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## CONTINUATION SHEET

Institution:  
**TUTWILER PRISON**Incident Number:  
**TP 04-1011**Date:  
**23 June 2004**Type of Incident:  
**#58, lying**

Narrative Summary (Continued) Page No. 2

Inmate Jones since 04 May 2004, that Inmate Jones had not been contacted to report to the medical unit, and the last time Inmate Jones had meds was 04 April, 2004, see attached statement from Nurse Hardy. Ms. Dubberley asked Nurse Hardy whether Inmate Jones' requests were filed in Inmate Jones' medical file and Nurse Hardy stated, "Yes." Ms. Dubberley also asked Nurse Hardy whether Inmate Jones' would have been notified in writing by the medical unit that Inmate Jones' meds were in and to report to take Inmate Jones' meds and Nurse Hardy again stated, "Yes." Inmate Jones has not gone to pill call since being in Dorm #10, which was locked down for Six-Month Crime Bill on 28 April, 2004. Further Nurse Hardy pulled Inmate Jones pill card from Dorm #10's pill call file and advised Inmate Jones had receive no medication for the entire month of June. Inmate Jones was counseled by Ms. Dubberley and advised Inmate Jones would receive a disciplinary for #58, lying.

  
Tina Dubberley, Drug Treatment Counselor

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